

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

HUAWEI TECHNOLOGIES CO. LTD., §  
§ Case No. 2:16-CV-00052-JRG-RSP  
v. §  
§  
T-MOBILE US, INC., T-MOBILE U.S.A., §  
INC., §

**ORDER**

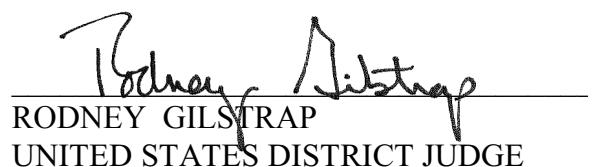
Magistrate Judge Payne issued a report recommending that T-Mobile's motion for partial summary judgment of no pre-suit damages be granted. No objections were filed, and the time to do so has now passed. *See* Fed. R. Civ. P. 72(b)(2). Having considered the Report and Recommendation de novo, the Court finds no reason to reject or modify the recommended disposition. *See* Fed. R. Civ. P. 72(b)(3); 28 U.S.C. § 636(b)(1)(C).

Accordingly,

It is **ORDERED**:

- (1) Magistrate Judge Payne's Report and Recommendation, Dkt. 361, is **ADOPTED**.
- (2) T-Mobile's motion for partial summary judgment, Dkt. 256, is **GRANTED**.
- (3) The damages period for any infringement of the '339 patent may begin no earlier than the date the complaint was filed, January 15, 2016.

**So ORDERED and SIGNED this 20th day of September, 2017.**



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RODNEY GILSTRAP  
UNITED STATES DISTRICT JUDGE